

Dated: July 22, 1997.

**James Jones,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

#### **PART 180—[AMENDED]**

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 371.

2. By adding § 180.512 to read as follows:

#### **§ 180.512. Fludioxonil; tolerances for residues.**

(a) *General*. [Reserved]

(b) *Section 18 emergency exemptions.*

A time-limited tolerance is established for residues of the fungicide fludioxonil in connection with use of the pesticide

under section 18 emergency exemptions granted by EPA. The tolerance will expire and is revoked on the date specified in the following table.

Commodity	Parts per million	Expiration/Revocation Date
Potatoes .....	0.02	August 1, 1998

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

[FR Doc. 97-20360 Filed 7-31-97; 8:45 am]

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#### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 300**

[FRL-5866-8]

#### **National Oil and Hazardous Substances Contingency Plan; National Priorities List Update**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Deletion of the Agate Lake Scrap Yard Superfund Site from the National Priorities List (NPL).

**SUMMARY:** The Environmental Protection Agency (EPA) announces the deletion of the Agate Lake Scrap Yard Superfund Site in Minnesota from the National Priorities List (NPL). The NPL is Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. This action is being taken by EPA and the State of Minnesota, because it has been determined that Responsible Parties have implemented all appropriate response actions required. Moreover, EPA and the State of Minnesota have determined that remedial actions conducted at the site to date remain protective of public health, welfare, and the environment.

**EFFECTIVE DATE:** August 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Gladys Beard at (312) 886-7253, Associate Remedial Project Manager,

Superfund Division, U.S. EPA—Region V, 77 West Jackson Blvd., Chicago, IL 60604. Information on the site is available at the local information repository located at: Brainerd Public Library, 416 South 5th South Street, Brainerd, MN 56401. Requests for comprehensive copies of documents should be directed formally to the Regional Docket Office. The contact for the Regional Docket Office is Jan Pfundheller (H-7J), U.S. EPA, Region V, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 353-5821.

**SUPPLEMENTARY INFORMATION:** The site to be deleted from the NPL is: Agate Lake Scrap Yard Superfund Site located in Fairview Township, Cass County, Minnesota. A Notice of Intent to Delete for this site was published June 23, 1997 (62 FR 33789). The closing date for comments on the Notice of Intent to Delete was July 22, 1997. EPA received no comments and therefore no Responsiveness Summary was prepared.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund-) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425(e)(3) of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL in the unlikely event that conditions at the site warrant such action. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

#### **List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste,

Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: July 23, 1997.

**Michelle D. Jordan,**

*Acting Regional Administrator, U.S. EPA, Region V.*

40 CFR part 300 is amended as follows:

#### **PART 300—[AMENDED]**

1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp.; p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp.; p. 193.

#### **Appendix B [Amended]**

2. Table 1 of Appendix B to part 300 is amended by removing the Site "Agate Lake Scrapyard, Fairview Township, Minnesota".

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#### **DEPARTMENT OF THE INTERIOR**

#### **Office of the Secretary**

#### **43 CFR Part 10**

RIN 1024-AC07

#### **Native American Graves Protection and Repatriation Act Regulations**

**AGENCY:** Department of the Interior

**ACTION:** Correcting amendments to final regulations

**SUMMARY:** This document contains corrections to the final regulations which were published in the **Federal Register** of Monday, December 4, 1995